

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 IO-13 ISO-00 CIAE-00 DODE-00 PM-04 H-01

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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC PRIORITY 1513

INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 1 OF 2 USUN 5999

E.O. 11652: GDS

TAGS: PFOR, UNGA, UR

SUBJECT: SIXTH COMMITTEE (LEGAL) -- HOST COUNTRY

1. TWO DRAFT RESOLUTIONS ON HOST COUNTRY RELATIONS HAVE BEEN SUBMITTED. TEXTS TRANSMITTED BELOW. RESOLUTION TABLED BY UK AND OTHERS CLOSELY FOLLOWS RECOMMENDATIONS OF HOST COUNTRY COMITE. UKRAINE RESOLUTION IS LITTLE MORE THAN RECITATION IN RESOLUTION FORM OF SOVIET DIATRIBE AGAINST US AS HOST. UKRAINE RESOLUTION INCORPORATES THOSE PARTS OF HOST COUNTRY COMITE REPORT THEY LIKE PLUS SINGULARLY OFFENSIVE LANGUAGE SUCH AS "ZIONIST AND OTHER ELEMENTS" IN OP PARA 2. PARTS OF HOST COUNTRY COMITE REPORT WHICH ARE MILDLY FAVORABLE TO US ARE OF COURSE OMITTED.

2. SOVIETS ARE MEMBERS HOST COUNTRY COMITE AND REPORT WAS ADOPTED BY COMITE AS A COMPROMISE AND BY CONSENSUS. CONSEQUENTLY, SOVIET INSISTENCE ON TEXT WHICH SIGNIFICANTLY DEPARTS FROM REPORT IS RENEGE ON PREVIOUS DEAL.

3. UK INTENDS SEEK PRIORITY FOR ITS DRAFT. DELOFF INTENDS STRONGLY SUPPORT THIS TACTIC AND UK DRAFT. DELOFF INTENDS VOTE AGAINST UKRAINE DRAFT.

QUOTE A/C.6/31/L.20 8 DECEMBER 1976

REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

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UKRAINIAN SSR: DRAFT RESOLUTION

THE GENERAL ASSEMBLY,
HAVING CONSIDERED THE REPORT OF THE COMMITTEE ON RELATIONS
WITH THE HOST COUNTRY,/OFFICIAL RECORDS OF THE GENERAL
ASSEMBLY, THIRTY-FIRST SESSION, SUPPLEMENT NO. 26/1/31/26./

DRAWING ATTENTION TO ITS RESOLUTIONS 2747 (XXV) OF 17
DECEMBER 1970, 2819 (XXVI) OF 15 DECEMBER 1971, 3033 (XXVII)
OF 18 DECEMBER 1972, 3107 (XXVIII) OF 12 DECEMBER 1973,
3320 (XXIX) OF 14 DECEMBER 1974 AND 3498 (XXX) OF 15
DECEMBER 1975, IN WHICH IT URGED THE GOVERNMENT OF THE HOST
COUNTRY TO MAKE CERTAIN THAT THE MEASURES TAKEN TO ENSURE
THE PROTECTION AND SECURITY OF PERMANENT MISSIONS TO THE
UNITED NATIONS AND THEIR PERSONNEL WERE ADEQUATE TO ENABLE
THOSE MISSIONS TO PERFORM PROPERLY THE FUNCTIONS ENTRUSTED
TO THEM BY THEIR GOVERNMENTS,

RECALLING THE RESPONSIBILITIES OF THE GOVERNMENT OF THE HOST
COUNTRY WITH RESPECT TO THE UNITED NATIONS AND THE MISSIONS
ACCREDITED TO IT, THEIR PERSONNEL AND THEIR CORRESPONDENCE
UNDER THE AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED
STATES OF AMERICA REGARDING THE HEADQUARTERS OF THE UNITED
NATIONS,/RESOLUTION 169 (II)/ THE CONVENTION ON THE PRIVI-
LEGES AND IMMUNITIES OF THE UNITED NATIONS,/RESOLUTION 22 A
(I)/ THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS OF 1961
AND GENERAL INTERNATIONAL LAW,

NOTING WITH DEEP CONCERN THE DANGEROUS ACTS OF TERRORISM
AND OTHER CRIMINAL ACTS WHICH HAVE BEEN COMMITTED AGAINST MISSIONS
AND THEIR PERSONNEL, INCLUDING IN A NUMBER OF CASES
THE USE OF BOMBS AND FIREARMS, WHICH CONSTITUTED A THREAT
TO THE LIVES OF MISSION PERSONNEL AND CAUSED DAMAGE TO
THE PREMISES OF MISSIONS AND THE LIVING QUARTERS OF THEIR
PERSONNEL,

FURTHER NOTING WITH CONCERN THAT HOSTILE DEMONSTRATIONS
AND PICKETING NEAR MISSION BUILDINGS, ACCOMPANIED BY VIOLENCE,
THREATS AND INSULTS DIRECTED AGAINST THE PERSONNEL OF MISSIONS,
ARE STILL TAKING PLACE,

EXPRESSING ITS DEEP SYMPATHY WITH THE MISSIONS AND THEIR
PERSONNEL THAT HAVE BECOME THE VICTIMS OF SUCH ACTS,

CONSIDERING THAT THE PROBLEMS RELATED TO THE PRIVILEGES
AND IMMUNITIES OF THE UNITED NATIONS AND TO THE STATUS OF
THE MISSIONS ACCREDITED TO IT ARE OF MUTUAL CONCERN TO
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MEMBER STATES, INCLUDING THE HOST COUNTRY, AS WELL AS TO THE
SECRETARY-GENERAL,

TAKING NOTE OF THE REPORT OF THE COMMITTEE ON RELATIONS
WITH THE HOST COUNTRY,

1. STRONGLY CONDEMNS TERRORIST AND OTHER ACTS OF VIOLENCE
AGAINST MISSIONS AND THEIR PERSONNEL AS FUNDAMENTALLY
INCOMPATIBLE WITH THE STATUS OF SUCH MISSIONS AND PERSONNEL
UNDER INTERNATIONAL LAW, AND IN PARTICULAR UNDER THE VIENNA

CONVENTION ON DIPLOMATIC RELATIONS OF 1961;

2. EXPRESSES ITS DEEP CONCERN AT CRIMINAL ACTIVITIES AGAINST MISSIONS AND THEIR PERSONNEL AND PROPERTY BY ZIONIST AND OTHER ELEMENTS, INCLUDING DEMONSTRATIONS AND PICKETING WHICH ARE ACCOMPANIED BY VIOLENCE, THREATS AND INSULTS AGAINST PERSONNEL OF THOSE MISSIONS AND WHICH CAUSE DAMAGE TO THE PROPERTY OF MISSIONS AND THEIR PERSONNEL;

3. URGES THE HOST COUNTRY WITHOUT DELAY TO TAKE ALL NECESSARY MEASURES AND ENSURE THEIR EFFECTIVE IMPLEMENTATION FOR THE PURPOSE OF GUARANTEEING ADEQUATE SECURITY FOR MISSIONS AND THEIR PERSONNEL AND CREATING NORMAL CONDITIONS FOR THE FUNCTIONING OF MISSIONS TO THE UNITED NATIONS;

4. NOTES WITH REGRET THAT PERSONS WHO HAVE COMMITTED TERRORIST AND OTHER CRIMINAL ACTS AGAINST MISSIONS AND THEIR PERSONNEL STILL REMAIN UNPUNISHED AND URGES THE HOST COUNTRY TO TAKE ALL NECESSARY MEASURES TO APPREHEND, PROSECUTE AND PUNISH THOSE GUILTY OF CRIMINAL ACTS AGAINST MISSIONS AND THEIR PERSONNEL, AS PROVIDED FOR IN THE FEDERAL ACT FOR THE PROTECTION OF FOREIGN OFFICIALS AND OFFICIAL GUESTS OF THE UNITED STATES;/UNITED STATES PUBLIC LAW 92-539 (SEE A/8871/REV.1)./

5. URGES THE HOST COUNTRY TO TAKE EFFECTIVE MEASURES PROHIBITING THE UNLAWFUL ACTIVITIES OF ORGANIZATIONS AND GROUPS WHICH PREPARE, INSTIGATE, ENCOURAGE OR PARTICIPATE IN TERRORIST OR OTHER ACTS OF VIOLENCE AGAINST MISSIONS AND THEIR PERSONNEL;

6. URGES THE HOST COUNTRY, THE UNITED NATIONS SECRETARIAT, THE DIPLOMATIC COMMUNITY AND THE ORGANIZATIONS CONCERNED TO SEEK IN EVERY WAY THE IMPROVEMENT OF RELATIONS AND THE PROMOTION OF MUTUAL UNDERSTANDING BETWEEN THE DIPLOMATIC COMMUNITY AND THE LOCAL POPULATION IN ORDER TO ENSURE CONDITIONS CONDUCIVE TO THE EFFECTIVE FUNCTIONING OF THE UNITED NATIONS AND THE MISSIONS ACCREDITED TO IT;
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7. DECIDES TO CONTINUE THE WORK OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY, IN CONFORMITY WITH GENERAL ASSEMBLY RESOLUTION 2819 (XXVI), WITH THE PURPOSE OF EXAMINING ALL METHODS FALLING WITHIN ITS TERMS OF REFERENCE, AND REQUESTS THE SECRETARY-GENERAL TO GIVE IT ALL NECESSARY ASSISTANCE;

8. REQUESTS THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY TO SUBMIT TO THE GENERAL ASSEMBLY, AT ITS THIRTY-SECOND SESSION, A REPORT ON THE PROGRESS OF ITS WORK AND TO MAKE, IF IT DEEMS IT NECESSARY, APPROPRIATE RECOMMENDATIONS;

9. DECIDES TO INCLUDE IN THE PROVISIONAL AGENDA OF ITS THIRTY-SECOND SESSION THE ITEM ENTITLED "REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY". UNQUOTE

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ACTION L-03

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CIAE-00 DODE-00 PM-04 H-01 INR-07 NSAE-00 NSC-05

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P R 090032Z DEC 76

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC PRIORITY 1514

INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 2 OF 2 USUN 5999

QUOTE A/C.6/31/L.21 8 DECEMBER 1976

REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

ARGENTINA, BELGIUM, DENMARK, GERMANY, FEDERAL REPUBLIC OF,
HONDURAS, IRELAND, ITALY, NETHERLANDS, PHILIPPINES, UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND: DRAFT RESOLUTION

THE GENERAL ASSEMBLY,
HAVING CONSIDERED THE REPORT OF THE COMMITTEE ON RELATIONS WITH
THE HOST COUNTRY,

DRAWING ATTENTION TO ITS RESOLUTIONS 2747 (XXV) OF 17
DECEMBER 1970, 2819 (XXVI) OF 15 DECEMBER 1971, 3033 (XXVII)
OF 18 DECEMBER 1972, 3107 (XXVIII) OF 12 DECEMBER 1973,
3320 (XXIX) OF 14 DECEMBER 1974 AND 3498 (XXX) OF 15
DECEMBER 1975,

RECALLING THE RESPONSIBILITIES OF THE GOVERNMENT OF THE
HOST COUNTRY WITH RESPECT TO THE UNITED NATIONS AND THE
MISSIONS ACCREDITED TO IT, THEIR PERSONNEL AND THEIR
CORRESPONDENCE UNDER THE AGREEMENT BETWEEN THE UNITED NATIONS
AND THE UNITED STATES OF AMERICA REGARDING THE HEADQUARTERS
OF THE UNITED NATIONS, THE CONVENTION ON THE PRIVILEGES
AND IMMUNITIES OF THE UNITED NATIONS AND GENERAL INTERNATIONAL
LAW,

NOTING WITH DEEP CONCERN A NUMBER OF SERIOUS ACTS OF
VIOLENCE AND OTHER CRIMINAL ACTS COMMITTED AGAINST SEVERAL
MISSIONS TO THE UNITED NATIONS, THEIR PERSONNEL AND PROPERTY,
INCLUDING DEMONSTRATIONS AND PICKETING ACCOMPANIED BY
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VIOLENCE, THREATS, MALICIOUS HARASSMENT, ATTACKS AND INSULTS AGAINST PERSONNEL OF THOSE MISSIONS,

CONSIDERING THAT THE PROBLEMS RELATED TO THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS AND TO THE STATUS OF THE MISSIONS ACCREDITED TO IT ARE OF MUTUAL CONCERN TO MEMBER STATES, INCLUDING THE HOST COUNTRY, AS WELL AS TO THE SECRETARY-GENERAL,

RECALLING THE DUTY OF MISSIONS ACCREDITED TO THE UNITED NATIONS AND THEIR PERSONNEL TO RESPECT THE LAWS AND REGULATIONS OF THE HOST COUNTRY, WITHOUT PREJUDICE TO THEIR PRIVILEGES AND IMMUNITIES UNDER INTERNATIONAL LAW,

NOTING THE DIFFICULTIES WHICH DIPLOMATS CONTINUE TO HAVE IN PARKING THEIR VEHICLES,

NOTING REPORTS OF DIFFICULTIES CONCERNING FINANCIAL RESPONSIBILITIES RELATING TO CERTAIN MISSIONS AND CERTAIN PERSONNEL ATTACHED TO THE MISSIONS,

NOTING THE RECOMMENDATIONS OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY CONTAINED IN PARAGRAPH 65 OF ITS REPORT,

1. NOTES WITH SATISFACTION THE ASSURANCES GIVEN BY THE COMPETENT AUTHORITIES OF THE HOST COUNTRY CONCERNING THE SECURITY OF THE MISSIONS ACCREDITED TO THE UNITED NATIONS AND THE SAFETY OF THEIR PERSONNEL;
 2. RECOGNIZES THE USEFULNESS OF THE VARIOUS MEASURES TAKEN BY THE HOST COUNTRY TO PROVIDE FOR THE SECURITY OF THE MISSIONS AND THE SAFETY OF THEIR PERSONNEL;
 3. EXPRESSES ITS DEEP CONCERN OVER THE ACTS OF VIOLENCE AND OTHER CRIMINAL ACTS WHICH HAVE NEVERTHELESS BEEN COMMITTED AGAINST SEVERAL MISSIONS, THEIR PERSONNEL AND PROPERTY;
 4. EXPRESSES ITS DEEP SYMPATHY TO THE MISSIONS AND THEIR PERSONNEL THAT HAVE BEEN THE VICTIMS OF SUCH ACTS;
 5. STRONGLY CONDEMNS ANY ACTS OF VIOLENCE AND OTHER CRIMINAL ACTS AGAINST THE PREMISES OF MISSIONS AND THEIR PERSONNEL AS TOTALLY INCOMPATIBLE WITH THE STATUS OF MISSIONS AND THEIR PERSONNEL UNDER THE NORMS OF INTERNATIONAL LAW, ESPECIALLY THOSE OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS OF 1961;
 6. URGES THE HOST COUNTRY TO TAKE ALL NECESSARY MEASURES IN ORDER TO PREVENT ANY ACTS VIOLATING THE SECURITY OF MISSIONS AND THE SAFETY OF THEIR PERSONNEL AND THE INVIOABILITY OF THEIR PROPERTY, AND IN ORDER TO INSURE NORMAL CONDITIONS FOR THE EXISTENCE AND FUNCTIONING OF ALL MISSIONS;
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7. WELCOMES THE FACT THAT THE AUTHORITIES OF THE HOST COUNTRY HAVE APPREHENDED AND PROSECUTED VARIOUS INDIVIDUALS FOR HAVING COMMITTED CERTAIN CRIMINAL ACTS AGAINST SEVERAL

MISSIONS, THEIR PERSONNEL AND PROPERTY;

8. URGES THE HOST COUNTRY TO CONTINUE ITS EFFORTS TO APPREHEND, BRING TO JUSTICE AND PUNISH ALL THOSE RESPONSIBLE FOR COMMITTING CRIMINAL ACTS AGAINST MISSIONS;

9. CALLS UPON THE MISSIONS TO CO-OPERATE AS FULLY AS POSSIBLE WITH THE FEDERAL AND LOCAL AUTHORITIES OF THE HOST COUNTRY IN CASES AFFECTING THE SECURITY OF THE MISSIONS AND THEIR PERSONNEL;

10. EMPHASIZES THAT, WITHOUT PREJUDICE TO THEIR PRIVILEGES AND IMMUNITIES UNDER INTERNATIONAL LAW, IT IS THE DUTY OF ALL MEMBERS OF THE DIPLOMATIC COMMUNITY ENJOYING SUCH PRIVILEGES AND IMMUNITIES TO RESPECT THE LAWS AND REGULATIONS OF THE HOST COUNTRY;

11. REQUESTS THE HOST COUNTRY TO CONSIDER INCREASING THE NUMBER OF SPACES SET ASIDE FOR DIPLOMATIC PARKING ON THE STREETS OF NEW YORK, TO TAKE MEASURES TO INSURE THAT DIPLOMATIC PARKING SPACES ARE NOT OCCUPIED BY UNAUTHORIZED VEHICLES, AND TO CONSIDER TERMINATING THE PRACTICE OF ISSUING SUMMONSES TO DIPLOMATS WITH REGARD TO THE PARKING OF THEIR VEHICLES; AND REITERATES ITS REQUEST TO ALL MISSIONS TO ENDEAVOUR TO OBTAIN OFF-STREET PARKING FOR DIPLOMATIC VEHICLES ASSIGNED TO THE MISSIONS;

12. SUGGESTS THAT THE SECRETARIAT OF THE UNITED NATIONS AND ALL OTHERS CONCERNED WORK TOGETHER TO SOLVE OUTSTANDING PROBLEMS INVOLVING FINANCIAL RESPONSIBILITIES OF CERTAIN MISSIONS AND INDIVIDUAL PERSONS ATTACHED TO THOSE MISSIONS;

13. EXPRESSES THE HOPE THAT EFFORTS WILL BE CONTINUED AND INTENSIFIED WITH A VIEW TO IMPLEMENTING AN INFORMATION PROGRAMME IN ORDER TO ACQUAINT THE POPULATION OF THE CITY OF NEW YORK AND ITS BOROUGHES WITH THE PRIVILEGES AND IMMUNITIES OF THE PERSONNEL OF THE MISSIONS ACCREDITED TO THE UNITED NATIONS AND WITH THE IMPORTANCE OF THE INTERNATIONAL FUNCTIONS PERFORMED BY THEM;

14. EXPRESSES ITS APPRECIATION FOR THE EFFORTS OF THE HOST COUNTRY, THE NEW YORK CITY COMMUNITY AND THE NEW YORK CITY COMMISSION FOR THE UNITED NATIONS AND FOR THE CONSULAR CORPS TO ACCOMMODATE THE NEEDS, INTERESTS AND REQUIREMENTS OF THE DIPLOMATIC COMMUNITY AND TO PROVIDE HOSPITALITY AND CONFIDENTIAL

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PROMOTE MUTUAL UNDERSTANDING;

15. DECIDES TO CONTINUE THE WORK OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY IN 1977, IN CONFORMITY WITH GENERAL ASSEMBLY RESOLUTION 2819 (XXVI), WITH THE PURPOSE OF EXAMINING ALL MATTERS FALLING WITHIN ITS TERMS OF REFERENCE;

16. REQUESTS THE SECRETARY-GENERAL TO PROVIDE ALL NECESSARY ASSISTANCE TO THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY AND TO CALL ITS ATTENTION TO ISSUES OF MUTUAL CONCERN RELATING TO THE IMPLEMENTATION OF THE AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED STATES

OF AMERICA REGARDING THE HEADQUARTERS OF THE UNITED NATIONS
AND THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE
UNITED NATIONS;

17. REQUESTS THE COMMITTEE ON RELATIONS WITH THE HOST
COUNTRY TO SUBMIT TO THE GENERAL ASSEMBLY, AT ITS THIRTY-
SECOND SESSION, A REPORT ON THE PROGRESS OF ITS WORK AND TO
MAKE, IF IT DEEMS IT NECESSARY, APPROPRIATE RECOMMENDATIONS;

18. DECIDES TO INCLUDE IN THE PROVISIONAL AGENDA OF ITS
THIRTY-SECOND SESSION THE ITEM ENTITLED "REPORT OF THE COMMITTEE
ON RELATIONS WITH THE HOST COUNTRY". UNQUOTE
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